

ExpertWitnessPA

RATE-SETTING REFERENCE CARD

SECTION 1: HOW TO THINK ABOUT YOUR RATE

Your rate should reflect your clinical experience, specialty, geographic market, and case complexity. There is no single correct number, but there is a defensible range that solidifies your professional credibility.

Years of Clinical Experience

More experience justifies a higher rate. 10+ years is the standard baseline for expert work.

Geographic Market

Metropolitan regions (CA, NY, TX) demand higher baselines than lower-cost markets.

CAQ or Board Certification

Specialty credentials carry significant weight and justify standard rate premiums.

Specialty and Demand

High-stakes fields (surgery, EM, ICU) naturally command higher market rate structures.

Leadership / Academic Roles

Program director, clinical faculty, or APP leadership titles command premium fees.

Case Complexity

Complex multi-defendant or multi-system medical cases warrant higher tiers.

SECTION 2: RETAINER STRUCTURE

Establishing a reliable business retainer model protects your clinical schedule and guarantees timely cash flow before active work begins.

Mandate Upfront Commitment: Always require a retainer before beginning any clinical or records review. Standard starting range: \$1,500 to \$3,000.

Tie to Defined Hours: Expressly tie the retainer to a specific quantity of work (e.g., 5 hours of analysis at your designated hourly rate).

Non-Refundable Baseline: Explicitly state in your contract that the retainer is entirely non-refundable once active case review commences.

Replenishment Terms: Include standard "replenishment language" requiring the retainer balance to be topped up to the original amount whenever it drops below a defined threshold.

Progressive Billing: Invoice regularly on a monthly schedule or at key clinical milestones. Never default to billing the entirety of your time at the case's conclusion.

SECTION 3: RATE RANGES BY ROLE

The rates below reflect the ExpertWitnessPA standard fee schedule benchmarks. Use these as your baseline when pricing your advisory services.

SERVICE	BENCHMARK RANGE	NOTES/INDUSTRY STANDARD GUIDELINES
Records Review & Analysis	\$300 – \$500 / hr	Standard hourly rate for meticulous initial case and chart reviews.
Expert Report Preparation	\$300 – \$500 / hr	Billed at standard review rates. Flat-fee setups only via prior written agreement.
Attorney Conference / Call	\$300 – \$500 / hr	Covers case alignments, debriefs, preparation, and formal strategy calls.
Rush Review	+25% to 50% premium	Applied for reviews requested under 10 business days to prioritize scheduling.
Case Retainer	\$1,500 – \$3,000	Covers initial 4-5 hours of analysis. Must clear before reviewing records.
Deposition Preparation	Same as review rate	Billed at your hourly rate for time spent prepping with retaining counsel.
Deposition Testimony	\$400 – \$600 / hr	Applies to both remote (Zoom/Teams) and in-person formal testimonies.
Deposition Minimum	\$800 – \$1,200	2 hour minimum billing threshold to offset scheduled clinical time.
Trial Testimony (Half-Day)	\$2,000 – \$3,500	Flat half-day-block (up to 4 hours) including local travel to court.
Trial Testimony (Full-Day)	\$3,500 – \$6,000+	Flat full-day-block. Strict non-refundable cancellation window is recommended.
Trial Standby	\$500 – \$1,500 / day	Per day spent available to testify; non-refundable once dates are locked.
Travel Time	\$200 – \$400 / hr	Portal-to-portal travel compensation, or set flat daily rates for long distance.
Cancellation Fee	50% – 100% of fee	50% of the scheduled fee within 8-14 days of cancellation; 100% due within 7 days.

SECTION 4: COMMON MISTAKES TO AVOID

UNDERPRICING TO GET CASES

Experienced attorneys interpret low rates as signs of low confidence or minimal clinical credibility. Price yourself confidently.

BILLING EXCLUSIVELY AT CASE END

Legal proceedings move slowly. Establish structured billing terms to protect your cash flow and reduce open receivables.

OMITTING A CANCELLATION POLICY

Depositions canceled within 48 to 72 hours of notice must be billed at your minimum deposition rate to cover lost clinic hours.

FAILING TO SET TRAVEL MINIMUMS

Travel demands significant time away from clinical work. Always set an absolute minimum of a half-day rate for out-of-region travel.

NEGLECTING ANNUAL RATE UPDATES

Ensure you systematically review and adjust your fee schedules at least once a year to accurately reflect your growing expert tenure and changes in market demand.